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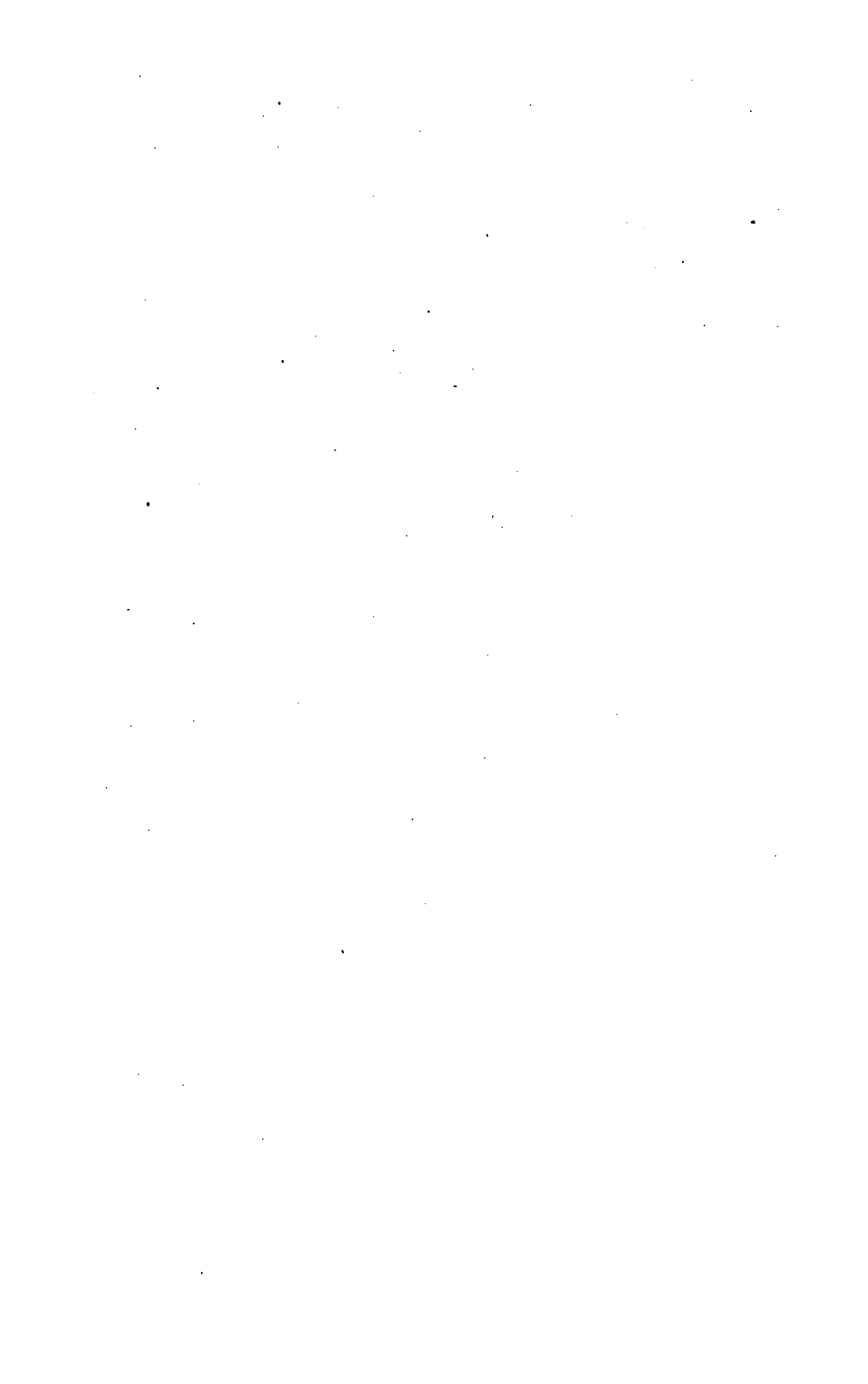


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THE
ACT OF INCORPORATION,
WITH THE ADDITIONAL ACTS
AND
BY-LAWS
OF THE
MASSACHUSETTS HISTORICAL SOCIETY;
AND A LIST OF
OFFICERS AND RESIDENT MEMBERS.





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OFFICERS AND RESIDENT MEMBERS.

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MASSACHUSETTS HISTORICAL SOCIETY.

ACT OF INCORPORATION.

Commonwealth of Massachusetts.

IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY-FOUR.

An Act to incorporate a Society, by the name of the MASSACHUSETTS HISTORICAL SOCIETY.

Whereas the collection and preservation of materials for a political and natural history of the United States is a desirable object, and the institution of a Society for those purposes will be of public utility,—

Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Baylies, Esq., Jeremy Belknap, D.D., the Rev. Alden Bradford, Peleg Coffin, Esq., Manasseh Cutler, D.D., John Davis, Esq., Daniel Davis, Esq., Aaron Dexter, Doctor in Physic, the Rev. John Eliot, Nathaniel Freeman, Esq., the Rev. James Freeman, the Rev. Thaddeus Mason Harris, Isaac Lothrop, Esq., George Richards Minot, Esq., the Rev. John Mellen, Jr., Thomas Pemberton, William Dandridge Peck, the Rev. John Prince, Ezekiel Price, Esq., James Sullivan, Esq., David Sewall, Esq., Peter Thacher, D.D., William Tudor, Esq., Samuel Turell, Dudley Atkins Tyng, Esq., James Winthrop, Esq., Thomas Wallcut, Redford Webster, and William Wetmore, Esq., who have associated for the purposes aforesaid, and have requested an Act of Incorporation, be, and hereby are, formed into and constituted a Society and body politic and corporate, by the name of the MASSACHUSETTS HISTORICAL SOCIETY; and that they and their successors, and such other persons as shall be legally elected by them, shall be and continue a body politic and corporate, by that name for ever.

And be it further enacted by the authority aforesaid, That the members of said Society shall have power to elect a President, and all other necessary officers; and that the said Society shall have one common seal, and the same may break, change, and renew at pleasure; and that the same Society, by the name aforesaid, as a body politic and corporate, may sue and be sued, prosecute and defend suits to final judgment and execution.

And be it further enacted, That the said Society shall have power to make orders and by-laws for governing its members and property, not repugnant to the laws of this Commonwealth; and may expel, disfranchise, or suspend any member, who, by his misconduct, shall be rendered unworthy.

And be it further enacted, That the said Society may, from time to time, establish rules for electing officers and members, and also times and places

for holding meetings; and shall be capable to take and hold real or personal estate, by gift, grant, devise, or otherwise, and the same, or any part thereof, to alien and convey: *Provided*, That the annual income of any real estate, by said Society holden, shall never exceed the sum of five hundred pounds; and that the personal estate thereof, besides books, papers, and articles in the Museum of said Society, shall never exceed the value of two thousand pounds.

And be it further enacted, That the members of said Society shall never be more than sixty (except honorary members, residing without the limits of this Commonwealth), and that James Sullivan, Esq., be, and hereby is, authorized and empowered to notify and warn the first meeting of said Society; and that the same Society, when met, shall agree upon a method for calling future meetings, and may have power to adjourn from time to time, as may be found necessary.

And be it further enacted, That either branch of the Legislature shall and may have free access to the Library and Museum of said Society.

[This Act passed Feb. 19, 1794.]

Commonwealth of Massachusetts.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FIFTY-FIVE.

An Act in addition to an Act to incorporate the MASSACHUSETTS HISTORICAL SOCIETY.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

SECT. 1. — The Massachusetts Historical Society is hereby authorized to hold real and personal estate, in addition to its Library, to an amount not exceeding one hundred thousand dollars.

SECT. 2. — This Act shall take effect from and after its passage.

[This Act passed May 21, 1855.]

Commonwealth of Massachusetts.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND FIFTY-SEVEN.

An Act in relation to the MASSACHUSETTS HISTORICAL SOCIETY.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

SECT. 1. — Nothing in the Act of Incorporation of the Massachusetts Historical Society shall prevent said Society from electing Associate or Corresponding Members residing without the limits of this Commonwealth, or Honorary Members residing either within or without said limits, or from having as many as one hundred Resident Members, at their discretion.

SECT. 2. — This Act shall take effect from and after its acceptance by said Society.

[This Act passed April 2, 1857.]

Commonwealth of Massachusetts.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN.

An Act in addition to an Act to incorporate the MASSACHUSETTS HISTORICAL SOCIETY.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows : —

SECT. 1. — The Massachusetts Historical Society is hereby authorized to hold real and personal estate in addition to its Library to an amount of three hundred thousand dollars.

SECT. 2. — This Act shall take effect upon its passage.

[This Act passed Feb. 16, 1877]

BY-LAWS.

CHAPTER I.

OF MEMBERS.

ARTICLE 1. — The Resident Members of the Society, who alone are entitled to vote, shall be elected from among citizens of Massachusetts who habitually reside some considerable part of each year within this Commonwealth, and the Society shall be at liberty to transfer their names to its roll of Corresponding Members if they remove from the State; provided, however, that a liberal allowance shall be made for temporary or official absence.

Honorary and Corresponding Members shall be elected from among those persons who reside in other States or countries, and the membership of Corresponding Members shall cease if they become both citizens and permanent residents of this Commonwealth. The number of Corresponding Members shall never exceed the number of Resident Members; and the number of Honorary Members shall never exceed twenty, of whom at least one half shall be citizens of foreign countries.

ART. 2. — A book shall be kept by the Recording Secretary, in which any Resident Member of the Society may enter the name of any person whom he may regard as suitable to be nominated as a Resident, Corresponding, or Honorary Member; it being understood that each member is bound in honor not to make known abroad the name of any person either proposed or nominated. But no nomination of any member shall be made except by a report of the Council, at a stated meeting of the Society, nor be acted upon at the same meeting to which it is reported; nor shall more than two candidates for membership, of the same class, be reported at any one meeting.

ART. 3. — All nominations shall be accompanied by a brief statement of the place of residence and qualifications of the person nominated.

ART. 4. — All members shall be elected by ballot; and, in balloting for members, the law and custom of our forefathers shall be observed, by taking the question with Indian corn and beans; the corn expressing *yeas*, and the beans *nays*. But no person shall be deemed chosen, unless there be twenty members present and voting at the election, nor unless three fourths of all the votes are in the affirmative.

ART. 5. — Each Resident Member shall pay twenty-five dollars at the time of his admission, and ten dollars each first of January afterward, into the treasury of the Society, for its general purposes; but any member shall be exempted from the annual payment, if, at any time after his admission, he shall pay into the treasury one hundred and fifty dollars in addition to what he may before have paid; and all commutation fees shall be funded by the Treasurer, and the interest only used for the current expenses of the Society. Each Resident Member shall be entitled to receive a copy of all the regular publications of the Society, issued after his election, without charge; and all members who have paid the commutation fee shall be entitled to the privilege of the Library, and to copies of the publications, for life, even should their membership cease by removal from the State or by resignation.

ART. 6. — If any person elected as a Resident Member shall neglect, for one year after being notified of his election, to pay his admission-fee, his election shall be void; and if any Resident Member shall neglect to pay his annual assessment for two years after it shall have become due and his attention shall have been called to this article in the By-laws, he shall cease to be a member; provided, however, it shall be in the power of the Treasurer, with the consent of the President, to dispense (*sub silentio*) with the payment of the assessment, whenever, in any special instance, they may think it advisable to do so. Each person who shall be elected a Resident Member shall, when notified of it, be furnished by the Corresponding Secretary with a copy of this Article and the preceding one.

ART. 7. — Diplomas signed by the President, and countersigned by the two Secretaries, shall be issued to all persons who have become members of the Society.

CHAPTER II.

OF MEETINGS.

ART. 1. — There shall be a Regular Meeting of the Society on the second Thursday of every month, at three o'clock P.M., at their rooms in Boston ; provided, however, that the Council shall have authority to postpone any such monthly meeting, or to dispense with it altogether, or to direct it to be held at other rooms, or at another hour, whenever, for any cause, they may deem it desirable or expedient. Special meetings shall be called by either of the Secretaries, whenever requested so to do by the President, or, in case of his absence or inability, by one of the Vice-Presidents or by the Council.

ART. 2. — At all meetings, the President shall take the chair in five minutes after the time appointed in the notification ; and the record of the preceding meeting shall then be at once read. After which, at all Special Meetings, the special business for which the meeting was called shall be transacted ; and, at all Regular Meetings, the order of business shall be as follows : —

First, The Librarian shall make his report.

Second, The Cabinet-keeper shall make his report.

Third, The Corresponding Secretary shall read any communications he may have received.

Fourth, The unfinished business and the assignments of the last meeting shall be taken up in their order.

Fifth, The Council shall be called on to report its doings since the last meeting.

Sixth, Other committees shall be called on for reports.

Seventh, The Society shall then proceed to such matters of business as may be proposed by any member ; after which members generally shall be invited to make any communications on any subject having relation to the purposes of the

Society; and, for the orderly accomplishment of this object, the Society shall be divided into three sections, as nearly equal in numbers as may be, each of which, in regular sequence, shall be notified by the Recording Secretary, that the Society, at the next meeting, will receive from it such communications; and the officer presiding at the next meeting shall call upon members of such section to offer any communication; after which the communication so made may be discussed by the Society generally.

ART. 3. — Fifteen members shall be a quorum for all purposes except the election of members, as hereinbefore provided; and excepting, also, for alterations of the By-laws, which shall not be made unless twenty persons are present, nor unless the subject has either been discussed at a previous meeting, or reported on by a committee appointed for the purpose.

ART. 4. — At the request of any two members present, any subject proposed for discussion shall be once deferred to a subsequent meeting, before it is finally disposed of.

ART. 5. — All committees shall be nominated by the chair, unless otherwise ordered.

CHAPTER III.

OF OFFICERS.

The officers of the Society shall be a President, who shall be, *ex officio*, Chairman of the Council; two Vice-Presidents; a Recording Secretary, who shall also be, *ex officio*, Secretary of the Council; a Corresponding Secretary; a Treasurer; a Librarian; and a Cabinet-keeper,—all of whom shall be chosen by ballot at the monthly meeting in April, and shall hold their respective offices for one year, or until others are duly chosen in their stead. At the same meeting five members shall be chosen (no more than two of whom shall hold their places for more than two successive years) who, with the foregoing officers, shall constitute the Council of the Society; which may fix its own quorum, provided that no

nomination of members shall be made to which less than seven of its number shall have assented at a meeting of the Council.

At the regular monthly meeting preceding any election of officers, a Nominating Committee, consisting of three persons, shall be appointed, who shall report to the meeting at which the election is to be made a list of members for the places to be filled.

CHAPTER IV.

OF THE PRESIDENT.

The President shall preside in all meetings of the Society when present, and, when absent, one of the Vice-Presidents, in the order of their names. In the absence of all these officers, a President *pro tempore* shall be chosen.

CHAPTER V.

OF THE RECORDING SECRETARY.

ART. 1. — The Recording Secretary, or, in case of his death or absence, the Corresponding Secretary, shall warn all meetings of the Society, by causing to be sent, through the post-office, to all the Resident Members, notices of each meeting. Notices of the regular meetings shall be issued on the Monday preceding.

ART. 2. — He shall keep an exact record of all the meetings of the Society, with the names of the members present; entering in full all reports of committees that may be accepted by the Society, unless otherwise specially directed, or unless the same are to be included in the printed Proceedings.

See Chap. IX., Art. 6.

CHAPTER VI.

OF THE CORRESPONDING SECRETARY.

ART. 1. — The Corresponding Secretary shall inform all persons of their election as members of the Society, sending to each a copy of the By-laws, and on their acceptance shall issue the proper diplomas.

ART. 2. — He shall carry on all the correspondence of the Society not otherwise provided for; and deposit copies of the letters sent and the original letters received, in regular files, in the Library.

CHAPTER VII.

OF THE TREASURER.

ART. 1. — The Treasurer shall collect all moneys due to the Society, and shall keep regular and faithful accounts of all the moneys and funds of the Society that may come into his hands, and of all receipts and expenditures connected with the same, — which accounts shall always be open to the inspection of the members; and, at the regular meeting in April, he shall make a written report of all his doings for the year preceding, and of the amount and condition of all the property of the Society intrusted to him. One week before the monthly meeting in April of each year, he shall give notice to every member of any assessment remaining due from him.

ART. 2. — He shall pay no moneys, except on vote of the Society, or of the Council, or on voucher of an officer or committee acting conformably to its laws or orders.

CHAPTER VIII.

OF THE COMMITTEES ON THE TREASURER'S ACCOUNTS,
THE LIBRARY, AND CABINET.

ART. 1. — At the monthly meeting in March, annually, a Committee of not less than two members shall be appointed, whose duty it shall be to examine the Treasurer's accounts for the year preceding, and the state of any funds of the Society in his hands, and to report thereon at the April meeting.

ART. 2. — At the monthly meeting in March, annually, a Committee of not less than three members shall be appointed, whose duty it shall be to examine the property of the Society in charge of the Librarian and the Cabinet-keeper, and to report thereon at the April meeting.

ART. 3. — These Committees shall be designated by the Chair, unless otherwise ordered, and shall be required to report in writing or in print.

CHAPTER IX.

OF THE LIBRARIAN, AND OF THE LIBRARY.

ART. 1. — The Librarian shall have charge of all the books, tracts, maps, manuscripts, and other property of the Society appropriate to a library; and shall cause to be made, and kept exact and perfect, catalogues of each and all of them, doing whatever may be in his power, at all times, to preserve and increase the collections under his care.

ART. 2. — He shall acknowledge each donation that may be made to the Library, by a certificate addressed to the person making it.

ART. 3. — He shall, at every monthly meeting of the Society, report all donations made to the Library since the last monthly meeting, with the names of the donors; and, at the annual meeting, shall present a statement of the condition and wants of the Library, with a notice of the important accessions that may have been made to it during the year.

ART. 4. — He shall cause to be kept an exact account of all books taken out, with the names of the persons who take them, and the dates when they are borrowed and returned.

ART. 5. — He shall report in writing, at each monthly meeting, the name of every book that has been out of the Library for a longer term than is permitted by the By-laws, and shall use his discretion in obtaining the return of such books.

ART. 6. — He may have one or more assistants, not members of the Society, appointed by the Council, who shall aid him in all or any of his duties ; who shall also aid the Recording Secretary in notifying meetings, copying reports, or in any other way that may be required, and who shall render such other services to the Society connected with its Library or its general proceedings as the Council may direct.

ART. 7. — The Librarian shall be present in the Library, in person or by an assistant, at the regular hours, and at such other times as may be appointed for keeping it open ; and shall endeavor to render it useful to all who may resort to it.

ART. 8. — Any Resident Member of the Society may take from the Library three printed volumes at a time, and keep each of them four weeks, with a right to renew the loan for four weeks more, unless some other member has, in that interval, asked for it in writing ; but if he retains it beyond this second period, he must first obtain the written assent of a member of the Council, permitting him to do so, or he shall be fined ten cents a week for each volume so retained.

ART. 9. — All members taking books from the Library shall be answerable for any injury done to the same, to such amount as may be deemed just by the Council ; and any person neglecting to pay any fines, or assessments for damages, one month after he shall have received notice of the same from the Librarian, or otherwise abusing his privilege to the injury of the Library, shall, by order of the Council, be interdicted from access to the same.

ART. 10. — At the written request of any Resident Member of this Society, the Librarian shall permit any person to visit and use the Library, at such times as the Librarian may be in attendance ; such member becoming thereby responsible for any injury to the property of the Society that may result from such introduction of a stranger.

ART. 11. — At the written request of any Resident Member of the Society, the Librarian shall deliver to any one person indicated in such request, but to no more than one person at the same time, any book or books belonging to the Society, which the member himself could take out; such member, by such request, making himself responsible that all the rules relating to the book or books so taken out shall be as fully observed by the person authorized to receive them as if he were a member; and that any injury accruing to the property of the Society, in consequence of the privilege thus granted, shall be made good by the member at whose request the grant is made.

ART. 12. — At the meetings in April, July, October, and January, the Librarian shall lay before the Society a list of the names of those persons, not members, who, during the preceding three months respectively, may have had access to the Library by permission of individual members of the Society, with the names of the members at whose request the privilege was granted; adding a statement of each injury that may have been sustained by the property of the Society, in consequence of granting such permission, and the name of the member bound to make it good.

ART. 13. — The Publishing Committee, for the time being, shall be permitted to take such books and manuscripts from the Library as they may need, in order to perform the duty assigned to them by the Society; but the Librarian shall make a record of whatever is so taken, and, as soon as the volume they may have in charge is published, he shall require the return of the same.

ART. 14. — All manuscripts of the Society shall be kept under lock and key, and be used only in presence of the Librarian or an assistant.

ART. 15. — Persons not members of the Society, engaged in historical pursuits, shall be allowed to consult the manuscripts belonging to the Society, provided an application in writing, stating the object of the inquiry, be first made to the Librarian, who shall make record of the same.

ART. 16. — No manuscript, and no part of a manuscript, belonging to the Society, shall be copied, except on permission granted by the Council, after an application in writing,

specifying the manuscript, or part thereof, desired to be copied; and if any manuscript belonging to the Society shall, in consequence of such permission, be published, in whole or in part, the fact that it was obtained from the Society shall be required to be stated in its publication. But nothing herein shall be construed to prevent the publication of names, dates, and other chronological memoranda, without special permission.

ART. 17. — Manuscripts of a confidential nature shall be retained in a place of special deposit, and shall be consulted only under such regulations as may be prescribed in each case by vote of the Society.

ART. 18. — No maps, newspapers, or books of great rarity or of constant reference, shall be taken from the Library, except by vote of the Society.

ART. 19. — All tracts, books, maps, and manuscripts belonging to the Society, shall be distinctly marked as its property; and any such tract, book, &c., that may be presented to the Society shall be marked with the name of the donor, and recorded as his gift.

ART. 20. — The Library shall be open on all week-days, from nine o'clock in the forenoon till sunset (but not later than six o'clock), throughout the year, except on the afternoons of Saturdays, and on days of public observance, and also during the fortnight before the annual meeting in April, when it shall be closed for examination; and all books that may be lent are hereby required to be returned previous to that fortnight, under a penalty of a fine of one dollar for each volume not so returned.

CHAPTER X.

RULES FOR THE DOWSE LIBRARY.

ART. 1. — The room in which the books are deposited which were presented to the Society by Thomas Dowse shall be known forever as the DOWSE LIBRARY OF THE MASSACHUSETTS HISTORICAL SOCIETY.

ART. 2. — Agreeably to the condition prescribed by Mr. Dowse, no book shall be taken out of this room.

ART. 3. — Books may be used in the room by members of the Society, and by others introduced by them in person; but no book shall be taken from the cases except by members, or by the Librarian's assistant, who shall cause each book to be returned to its proper place immediately after it has been used.

ART. 4. — Meetings of the Society may be held in the Dowse Library, at the discretion of the Council; but the room shall not be used for any other meetings.

CHAPTER XI.

OF THE CABINET-KEEPER, AND THE MUSEUM.

ART. 1. — The Cabinet-keeper shall have charge of all coins, works of art, remains of antiquity, and other articles appropriate to the Society's Museum, and shall make and keep perfect and exact catalogues of the same.

ART. 2. — He shall acknowledge each donation he may receive, by letter, to the person making it. At every monthly meeting of the Society, he shall report whatever may have been added to the collection of which he has charge, with the names of the donors; and, at the annual meeting, shall present a full report of the condition of the Museum.

CHAPTER XII.

OF THE COUNCIL.

ART. 1. — The Council shall, from time to time, carefully consider the claims of all persons whose names have been proposed for membership, and, as vacancies occur in the Society, by death or otherwise, shall, at their discretion, report nominations; but no nomination, whether for Honorary, Corre-

sponding, or Resident Membership, shall be reported of any person whose name has not been entered in the nomination-book at least thirty days, and which shall not have subsequently received the assent of at least seven members of the Council.

ART. 2. — They shall engage whatever assistance is needed to administer the Library, and shall pay the current expenses of the Society, drawing on the Treasurer, from time to time, for such sums as may be necessary for that purpose.

ART. 3. — They shall cause to be made, as often as may seem expedient, a thorough examination of the Library and Cabinet of the Society, in order that the books, pictures, manuscripts, and other articles may be carefully compared with their respective Catalogues.

ART. 4. — They shall record in full, in a book kept by them for the purpose, any permission granted by any one of their number for the consultation of the manuscripts of the Society, by persons not members.

ART. 5. — They shall meet in the Society's rooms within one week previous to every regular meeting, on such day and at such hour as they may agree upon, and at such other times as the Chairman shall call them together, for the fulfilment of their appropriate duties, and for the purpose of facilitating the transaction of such business as will be brought before the Society; and for making such arrangements as may be expedient for securing the communication of historical papers.

ART. 6. — They shall, at every meeting, report to the Society all their doings since the last meeting, suggesting at the same time such business as they may deem advisable to bring before it.

ART. 7. — On the death of a Resident Member, they shall, at the next meeting of the Society, report, through the President, a nomination of a person to prepare a memoir of the deceased for the Proceedings.

ART. 8. — They shall have authority to appoint such sub-committees of their number as they shall think expedient, to facilitate the administration of the Society's affairs.

ART. 9. — They shall make an annual report, to be drawn up by that one of the members at large who has had the longest term of service.

CHAPTER XIII.

OF THE PUBLISHING COMMITTEE.

ART. 1. — Immediately after the publication of any volume of the Collections of the Society, or at any other time when the Society may order, a Committee of not less than three persons shall be appointed by nomination from the chair, whose duty it shall be to prepare and publish another volume; for which purpose they are authorized to draw on the Treasurer, and free use is granted to them of all the manuscripts, printed books, and other resources of the Society, except the manuscripts deposited as confidential; said Committee being required hereby to return whatever they may have thus received, so soon as their use of the same for the purposes of such publication shall have ceased.

In every publication that shall be made from the income of the Appleton, the Peabody, or other publishing fund, there shall be inserted in each volume a statement in print, that it was made at the charge of that fund which bears the expense of the publication.

ART. 2. — The Recording Secretary, and two other members to be appointed at the annual meeting by the President, shall constitute a Committee, with full power to provide for occasional reports, as well as for the permanent publication of the Proceedings of the Society, subject to the following

[ADDITIONAL ARTICLE. ADOPTED JUNE, 1889.]

“ART. 3. In order to facilitate the work of the Society, the Council may, when it shall seem expedient, appoint a member of the Society, or other competent person, who shall be immediately responsible for the proper editing of all volumes, whether of Collections or Proceedings, the supervision of the Society's copyists, and the adequate preparation of all material intended for the press. If the person so appointed be a Resident Member of the Society, he shall be *ex officio* a member of all committees of publication; but if he be not a Resident Member, his authority shall be subordinate to that of said committees. In view of the laborious nature of his duties, he may receive a salary, the amount of which shall be fixed by the Council, as in the case of the Librarian's assistants.”

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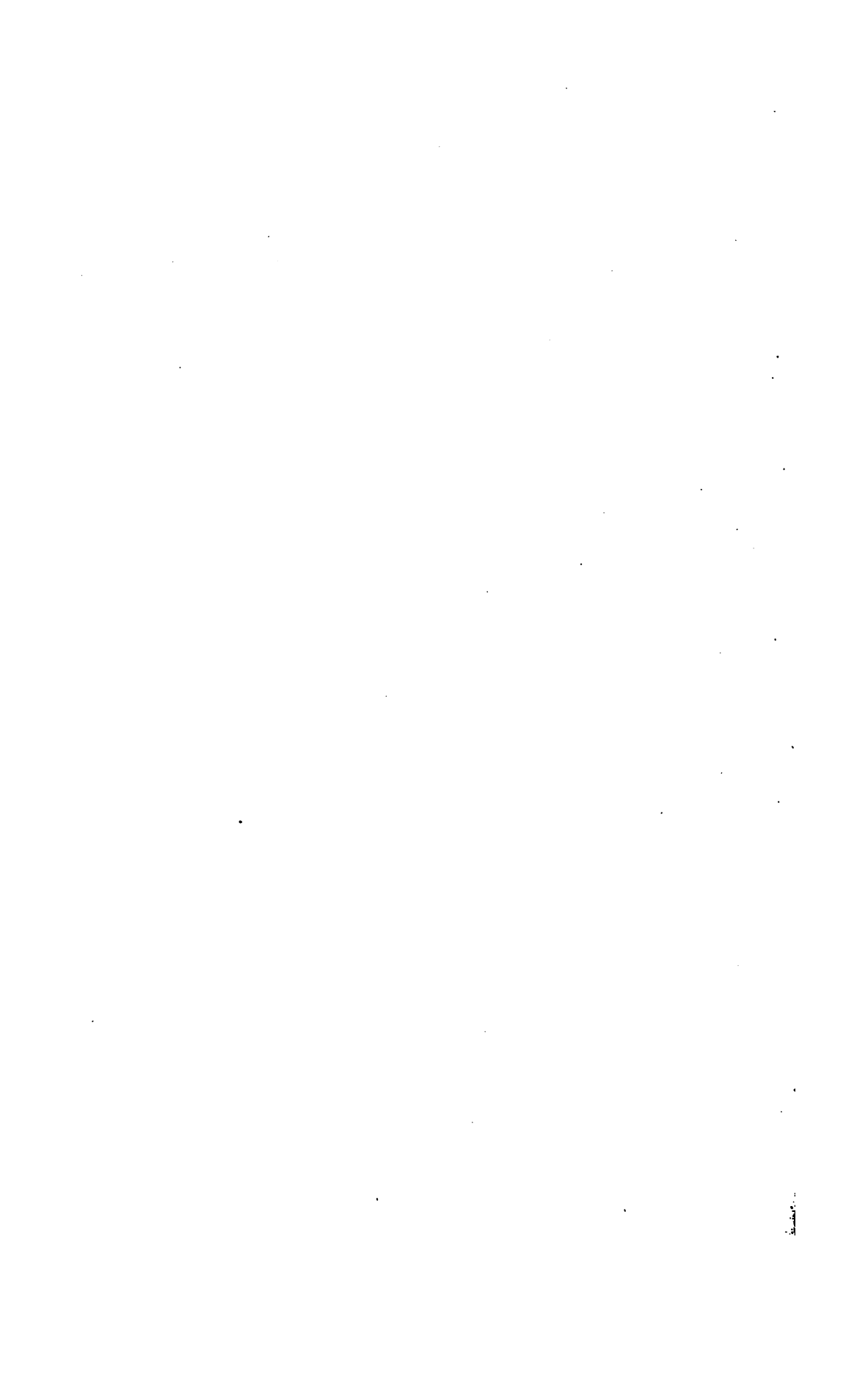
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First, Neither the remarks nor the name of any member shall be introduced into any report without his permission.

Second, All papers read or remarks made by any member, which such member shall desire or be willing to have printed, shall be submitted to the above-named Committee for the purpose, and shall be subject to their discretion: provided, however, that any member may publish, on his own responsibility, any paper or remarks of his own which the Committee may not think fit to include in their report; it being understood that, in such case, the name of the Society is not to be used in any way whatever in connection with such publication.









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The act of incorporation, with the
Widener Library 006004573



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